

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ANDREW JONES, *individually and on behalf
of similarly situated persons*,

Plaintiff,

v.

Civil Action No. 3:21cv510

**FIRST COLONY PIZZA, INC. d/b/a
DOMINOS PIZZA**, *et al.*,

Defendants.

ORDER

This matter comes before the Court on Plaintiff Andrew Jones's Notice of Voluntary Dismissal Without Prejudice (the "Notice"). (ECF No. 5.) In the Notice, Jones seeks leave to voluntarily dismiss this action pursuant to Federal Rule of Civil Procedure 41.¹ (Notice 1, ECF No. 5.) Because Defendants have not filed an answer or responsive motion, Jones may dismiss this action.

Upon due consideration of Jones's request and finding it proper to do so, the Court GRANTS Jones's request as lodged in the Notice. (*See* ECF No. 5.) The Court DISMISSES

¹ Federal Rule of Civil Procedure 41 states, in pertinent part:

(1) *By the Plaintiff.*


(A) *Without a Court Order.* Subject to [federal rules not applicable here] and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

- (i)** a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or
- (ii)** a stipulation of dismissal signed by all parties who have appeared.

this action WITHOUT PREJUDICE. The Court DIRECTS the Clerk of Court to close Civil Action Number 3:21cv510.

Let the Clerk of Court send a copy of this Order to all counsel of record.

It is SO ORDERED.



M. Hannah Lauck
United States District Judge
United States District Judge

Date: 8/17/2021
Richmond, Virginia